



General Assembly

February Session, 2014

## Amendment

LCO No. 4833

**\*SB0030904833SD0\***

Offered by:

SEN. MEYER, 12<sup>th</sup> Dist.  
SEN. CHAPIN, 30<sup>th</sup> Dist.  
SEN. OSTEN, 19<sup>th</sup> Dist.  
SEN. FASANO, 34<sup>th</sup> Dist.  
SEN. KANE, 32<sup>nd</sup> Dist.  
REP. GENTILE, 104<sup>th</sup> Dist.

REP. SHABAN, 135<sup>th</sup> Dist.  
REP. ROJAS, 9<sup>th</sup> Dist.  
REP. AMAN, 14<sup>th</sup> Dist.  
REP. MINER, 66<sup>th</sup> Dist.  
REP. YACCARINO, 87<sup>th</sup> Dist.  
REP. CASE, 63<sup>rd</sup> Dist.

To: Subst. Senate Bill No. 309

File No. 665

Cal. No. 199

**"AN ACT CONCERNING MUNICIPAL COSTS FOR THE CARE OF  
CONFISCATED ANIMALS AND ESTABLISHING A TASK FORCE  
ON THE HUMANE TREATMENT OF ANIMALS IN MUNICIPAL  
SHELTERS."**

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. Subsections (f) to (k), inclusive, of section 22-329a of the  
4 general statutes are repealed and the following is substituted in lieu  
5 thereof (*Effective from passage*):

6 (f) If the court issues an order vesting the animal's temporary care  
7 and custody in some suitable state, municipal or other public or  
8 private agency or person, the owner or owners shall either relinquish  
9 ownership of the animal or post a surety bond or cash bond with the

10 agency or person in whom the animal's temporary care and custody  
11 was vested. The surety bond or cash bond shall be in the amount of  
12 five hundred dollars for each animal placed in the temporary care or  
13 custody of such agency or person and shall secure payment for the  
14 reasonable expenses of the agency or person having temporary care  
15 and custody of the animal in caring and providing for such animal  
16 until the court makes a finding as to the animal's disposition under  
17 subsection (g) of this section. The requirement that a bond be posted  
18 may be waived if such owner provides satisfactory evidence that such  
19 owner is indigent and unable to pay for such bond.

20 (g) (1) If, after hearing, the court finds that the animal is neglected or  
21 cruelly treated, it shall vest ownership of the animal in any state,  
22 municipal or other public or private agency which is permitted by law  
23 to care for neglected or cruelly treated animals or with any person  
24 found to be suitable or worthy of such responsibility by the court.

25 (2) If, after hearing, the court finds that the animal is so injured or  
26 diseased that it should be destroyed, the court may order that such  
27 animal be humanely destroyed.

28 (3) If, after hearing, the court finds that the animal is not neglected  
29 or cruelly treated, it may cause the animal to be returned to its owner  
30 or owners or person having responsibility for its care or, if such owner  
31 or owners or person is unknown or unwilling to resume caring for  
32 such animal, it may vest ownership of the animal in any state,  
33 municipal or other public or private agency or person found to be  
34 suitable or worthy of such responsibility.

35 (4) If the court makes a finding under subdivision (1) or (2) of this  
36 subsection less than thirty days after the issuance of an order of  
37 temporary care and custody and the owner of the animal has posted a  
38 bond, the agency or person with whom the bond was posted shall  
39 return the balance of such bond, if any, to the owner. The amount of  
40 the bond to be returned to the owner shall be calculated at the rate of  
41 fifteen dollars per day per animal or twenty-five dollars per day per

42 animal if the animal is a horse or other large livestock for the number  
43 of days less than thirty that such agency or person has not had  
44 temporary care and custody of the animal less any veterinary costs and  
45 expenses incurred for the welfare of the animal.

46 (5) If the court makes a finding under subdivision (3) of this  
47 subsection after the issuance of an order of temporary care and  
48 custody and the owner of the animal has posted a bond, the agency or  
49 person with whom the bond was posted shall return such bond to such  
50 owner.

51 (h) If the court finds that the animal is neglected or cruelly treated,  
52 the expenses incurred by the state or a municipality in providing  
53 proper food, shelter and care to an animal it has taken custody of  
54 under subsection (a) or (b) of this section and the expenses incurred by  
55 any state, municipal or other public or private agency or person in  
56 providing temporary care and custody pursuant to an order vesting  
57 temporary care and custody, calculated at the rate of fifteen dollars per  
58 day per animal or twenty-five dollars per day per animal if the animal  
59 is a horse or other large livestock until the date ownership is vested  
60 pursuant to subdivision (1) of subsection (g) of this section shall be  
61 paid by the owner or owners or person having responsibility for the  
62 care of the animal. In addition, all veterinary costs and expenses  
63 incurred for the welfare of the animal that are not covered by the per  
64 diem rate shall be paid by the owner or owners or person having  
65 responsibility for the animal.

66 (i) If the court vests ownership of the animal in the Commissioner of  
67 Agriculture or a municipality, the commissioner or the municipality  
68 may conduct or participate in a public auction of the animal under  
69 such conditions the commissioner or the municipality deems necessary  
70 or the commissioner or the municipality may consign the animal to an  
71 auction or sell the animal through an open advertised bid process  
72 whereby bid price and demonstration of sufficient knowledge and  
73 ability to care for such animal are factors for the commissioner's or  
74 municipality's consideration. All moneys collected from the sale of

75 animals sold by the Commissioner of Agriculture through such open  
76 advertised bid process shall be deposited in the animal abuse cost  
77 recovery account established in subsection (j) of this section. All  
78 moneys collected from the sale of animals sold by a municipality  
79 through such open advertised bid process shall be deposited by the  
80 town treasurer or other fiscal officer in the town's general fund. The  
81 commissioner or the municipality may also vest ownership of any such  
82 animal in an individual or a public or private nonprofit animal rescue  
83 or adoption organization.

84 (j) There is established a separate, nonlapsing account within the  
85 General Fund, to be known as the "animal abuse cost recovery  
86 account". All moneys collected from sales at public auction of animals  
87 seized by the Department of Agriculture pursuant to this section shall  
88 be deposited into the account. Deposits of moneys may be made into  
89 the account from public or private sources, including, but not limited  
90 to, the federal government or municipal governments.

91 (k) Notwithstanding any provision of the general statutes, any  
92 moneys received by the Department of Agriculture pursuant to  
93 subsection (j) of this section shall be deposited in the General Fund and  
94 credited to the animal abuse cost recovery account. The account shall  
95 be available to the Commissioner of Agriculture for the purpose of the  
96 housing, care and welfare of any animal seized by the department,  
97 until final disposition of such animal. Additionally, the account may be  
98 used for the purpose of providing reimbursement to any municipality  
99 for the costs of providing temporary care to such animal if such  
100 temporary care exceeded thirty days in duration and such costs  
101 exceeded the amount of any surety bond or cash bond posted pursuant  
102 to subsection (f) of this section provided the total annual  
103 reimbursement to municipalities from said account for such purpose  
104 shall not exceed twenty-five thousand dollars. Nothing in this section  
105 shall prevent the commissioner from obtaining or using funds from  
106 sources other than the account for the housing, care and welfare of any  
107 animal seized by the department pursuant to this section.

108 Sec. 2. Subsection (e) of section 22-380g of the 2014 supplement to  
109 the general statutes is repealed and the following is substituted in lieu  
110 thereof (*Effective from passage*):

111 (e) Any revenue collected pursuant to the provisions of sections 22-  
112 380f and 22-380l shall be deposited in the animal population control  
113 account. All money in the account shall be used by the commissioner  
114 exclusively for (1) the implementation and promotion of the animal  
115 population control program, (2) the costs associated with the  
116 administration of such program, provided not more than two hundred  
117 twenty-five thousand dollars may be expended for administrative  
118 costs per year, and (3) reimbursement of persons completing a training  
119 program pursuant to subsections (c) and (d) of section 22-328, for the  
120 costs of such program, provided moneys in the account may also be  
121 used to provide reimbursement to any municipality for the costs of  
122 providing temporary care to any animal pursuant to section 22-329a, as  
123 amended by this act, if such temporary care exceeded thirty days in  
124 duration and such costs exceeded the amount of any surety bond or  
125 cash bond posted pursuant to subsection (f) of section 22-329a, as  
126 amended by this act, provided the total annual reimbursement to  
127 municipalities from said account for such purpose shall not exceed  
128 fifty thousand dollars.

129 Sec. 3. (*Effective from passage*) (a) There is established a task force to  
130 study the humane treatment of animals in municipal and regional  
131 shelters and other matters concerning the operation of such municipal  
132 and regional shelters. The task force shall consider: (1)  
133 Recommendations for the establishment of standards for the humane  
134 treatment of animals in such shelters; (2) existing education and  
135 training standards for animal control officers on current license laws;  
136 (3) rules and regulations regarding and penalties for abuse; (4) the  
137 development of a system to track persons who have been convicted of  
138 animal abuse in order to prevent such persons from acquiring animals  
139 from shelters in other municipalities or states; (5) the establishment of  
140 standards for such shelters to use when evaluating potential adopters

141 for such animals; (6) the establishment of rules and responsibilities for  
142 volunteer groups that work with such shelters and animal control  
143 officers; and (7) the creation of a framework to coordinate the efforts of  
144 local humane organizations with volunteer groups, foster groups and  
145 municipal and regional animal shelters.

146 (b) In addition to the Commissioner of Agriculture or the  
147 commissioner's designee, the task force shall consist of the following  
148 members:

149 (1) Two appointed by the speaker of the House of Representatives,  
150 one of whom shall be a member of a local animal welfare advocacy  
151 organization and one whom shall be a sworn officer of a municipal  
152 police department;

153 (2) Two appointed by the president pro tempore of the Senate, one  
154 of whom shall be an animal control officer and one who shall be a  
155 representative of the judicial branch;

156 (3) One appointed by the majority leader of the House of  
157 Representatives, who shall be a chief elected official from a town with  
158 a population of more than twenty-five thousand persons;

159 (4) One appointed by the majority leader of the Senate, who shall be  
160 a licensed veterinarian;

161 (5) One appointed by the minority leader of the House of  
162 Representatives, who shall be a person who volunteers to work with  
163 municipal animal shelters and animal control officers; and

164 (6) One appointed by the minority leader of the Senate, who shall be  
165 a chief elected official from a town with a population of twenty-five  
166 thousand persons or less.

167 (c) Any member of the task force appointed under subdivision (1),  
168 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member  
169 of the General Assembly.

170 (d) All appointments to the task force shall be made not later than  
 171 thirty days after the effective date of this section. Any vacancy shall be  
 172 filled by the appointing authority.

173 (e) The speaker of the House of Representatives and the president  
 174 pro tempore of the Senate shall select the chairpersons of the task force  
 175 from among the members of the task force. Such chairpersons shall  
 176 schedule the first meeting of the task force, which shall be held not  
 177 later than sixty days after the effective date of this section.

178 (f) The administrative staff of the joint standing committee of the  
 179 General Assembly having cognizance of matters relating to local  
 180 governments shall serve as administrative staff of the task force.

181 (g) Not later than January 1, 2015, the task force shall submit a  
 182 report on its findings and recommendations to the joint standing  
 183 committees of the General Assembly having cognizance of matters  
 184 relating to local governments and the environment, in accordance with  
 185 the provisions of section 11-4a of the general statutes. The task force  
 186 shall terminate on the date that it submits such report or January 1,  
 187 2015, whichever is later."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-329a(f) to (k)
Sec. 2	<i>from passage</i>	22-380g(e)
Sec. 3	<i>from passage</i>	New section